

DEC 29 2008

Application Serial No. 10/588,885  
Reply to office action of September 29, 2008

PATENT  
Docket: CU-4982

REMARKS/ARGUMENTS

Reconsideration is respectfully requested.

Claims 1-12 are pending before this amendment. By the present amendment, claim 1 is amended. No new matter has been added. The issues raised in the outstanding office action are addressed below in the order raised in the action.

In the office action (page 2), claims 1-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by European Patent No. 1109368 (Christie). The "et al." is omitted in a reference name.

The applicants respectfully disagree.

In the office action (page 3), the examiner states the features upon which the applicants rely (in the previous response) are not recited in the rejected claims, and the examiner states "*nowhere in the claim suggesting that the 'sending the indication that the called party has hung up to the SCP' neglects whether the party has actually hung up.*" The applicants must respectfully disagree that --sending an indication that the called party has hung up to a Service Control Point (SCP) "is inherent, since it is necessary to tear down the connection when the called party hung up," as the applicants respectfully submit that this is a mischaracterization of the step.

Additionally, the applicants have amended claim 1 to clarify the present invention of claim 1, claim 1 now recites, *inter alia*:

--the call controller responding to the first event message, releasing the current call, sending an indication that the called party has hung up to a Service Control Point(SCP), prompting and waiting for the calling party to initiate a new call via the calling gateway; wherein sending the indication that the called party has hung up to the SCP neglects whether the called party has actually hung up.

Thus, the feature of --wherein sending the indication that the called party has

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hung up to the SCP neglects whether the called party has actually hung up-- is added to claim 1.

Support for this amendment can be found at least in page 7, line 25 to page 8, line 20 of the application filed on August, 9, 2006. For instance, "*after Call Controller 11 receives.... it neglects whether the called party has actually hung up, instead, Call Controller 11 automatically reports the message that the called party had hung up to SCP10 according to the preset special key combinatio.*" (specification page 7, line 28 to page 8, line 2).

The applicants respectfully submit that Christie is not available as prior art for the reasons detailed below, and the rejections of claims 1-12 are traversed on that basis, and reconsideration of the application, as amended, is solicited.

**As to Claim 1,** the Examiner is of the opinion that sending an indication that the called party has hung up to a Service Control Point (SCP) is inherent, since it is necessary to tear down the connection when the called party hung up.

The applicants respectfully disagree and traverse the Examiner's rejection and respectfully submit that the Examiner's conclusion is a result of a mischaracterization of the step that ignores claim 1 as a whole.

As described in the specification, no matter whether the called party has really hung up, the call controller sends an indication that the called party has hung up to the SCP upon the receipt of the first event message, i.e. --sending the indication that the called party has hung up to the SCP **neglects** whether the called party has actually hung up--. However, Christie does not teach or suggest the step of sending an

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indication that the called party has hung up to a Service Control Point (SCP), and the applicants respectfully submit that this step is **not** inherent, since sending the indication that the called party has hung up to the SCP is **not** a result of the called party having already hung up. As remarked in the previous response, Christie fails to disclose what operations are implemented by MGC 2 (media Gateway Controller) with regards to waiting for a new call initiated by the calling party.

In addition, in claim 1, the indication that the called party has hung up is sent to the SCP, and the SCP is a device of the Intelligent Network (as stated above). However, in the packet data network disclosed in Christie, the SCP is **not** included. It can be seen that the packet data network disclosed in Christie is not an Intelligent Network, and the packet data network of Christie is different from that of the present invention. That is, the method for reinitiating a call in a card number service as disclosed in Christie is applicable to a network different than that of the present invention.

Accordingly, Christie fails to teach, disclose or suggest the present invention of claim 1 as amended, which recites, *inter alia*: --sending an indication that the called party has hung up to a Service Control Point(SCP), wherein sending the indication that the called party has hung up to the SCP neglects whether the called party has actually hung up--.

Because Christie neither discloses nor suggests the subject matter of amended claim 1, the applicants respectfully submit that this claim is allowable, and an indication of allowable subject matter with respect to claim 1 is respectfully requested.

As to the dependent claims 2-12, the applicants respectfully submit that these

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claims are allowable at least since they depend from claim 1, which is now considered to be in condition for allowance for the reasons above.

For the reasons set forth above, the applicants respectfully submit that claims 1-12 pending in this application are in condition for allowance over the cited reference. Accordingly, the applicants respectfully request reconsideration and withdrawal of the outstanding rejections and earnestly solicit an indication of allowable subject matter.

This amendment is considered to be responsive to all points raised in the office action. Should the examiner have any remaining questions or concerns, the examiner is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Also, should the examiner wish to discuss the foregoing, or any matter of form in an effort to advance this application towards allowance, the applicants urge the examiner to contact the undersigned attorney.

Respectfully submitted,

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